

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

SIEMBRA FINCA CARMEN, LLC.,

Plaintiff,

v.

**SECRETARY OF THE DEPARTMENT OF
AGRICULTURE OF PUERTO RICO, *et*
al.,**

Defendants.

Civil No. 18-1783 (CCC/BJM)

OPINION AND ORDER

Pending before the Court is Plaintiff Siembra Finca Carmen, LLC.'s ("SFC") Motion for Preliminary Injunction. Docket No. 2. SFC's motion seeks to enjoin Puerto Rico Department of Agriculture ("PRDA") from enforcing local law and regulations, as they are expressly preempted by the Plant Protection Act ("PPA"), 7 U.S.C. § 7756(a) and (b). Docket No. 2 at 1. Such motion was referred to the United States Magistrate Judge Bruce J. McGiverin for a Report and Recommendation. Docket No. 25.

Judge McGiverin's Report and Recommendation, Docket No. 39, remains unopposed and it is hereby **ADOPTED** in its entirety. Upon *de novo* review, the undersigned has reviewed and considered the same, as well as reviewed the pleadings of record. In light of this, the undersigned is in full accord with Judge McGiverin's *ratio decidendi* and recommendation as to the result of this case. Judgement will be entered accordingly.

SO ORDERED.

At San Juan, Puerto Rico, on February 4, 2020.

s/Gustavo A. Gelpí
GUSTAVO A. GELPÍ
Chief United States District Judge